

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
PETITION

FORM EXEMPT UNDER 44 U.S.C.

## DO NOT WRITE IN THIS SPACE

Case No. 28-RC-083640 Date Filed 06/21/2012

INSTRUCTIONS: Submit an original of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located.

The Petitioner alleges that the following circumstances exist and requests that the NLRB proceed under its proper authority pursuant to Section 9 of the NLRA.

1. PURPOSE OF THIS PETITION (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the Employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)

- ☒ **RC-CERTIFICATION OF REPRESENTATIVE** - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.
- ☐ **RM-REPRESENTATION (EMPLOYER PETITION)** - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- ☐ **RD-DECERTIFICATION (REMOVAL OF REPRESENTATIVE)** - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.
- ☐ **UD-WITHDRAWAL OF UNION SHOP AUTHORITY (REMOVAL OF OBLIGATION TO PAY DUES)** - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.
- ☐ **UC-UNIT CLARIFICATION** - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) ☐ In unit not previously certified. ☐ In unit previously certified in Case No. \_\_\_\_\_
- ☐ **AC-AMENDMENT OF CERTIFICATION** - Petitioner seeks amendment of certification issued in Case No. \_\_\_\_\_. Attach statement describing the specific amendment sought.

2. Name of Employer: Chugach Management Services  
Employer Representative to contact: Michael Cuddihee  
Tel. No. 505-846-6711

3. Address(es) of Establishment(s) involved (Street and number, city, State, ZIP code):  
2050 Wyoming Blvd SE - Building 20686 Kirtland AFB, NM 87117  
Fax No. 505-853-2670

4a. Type of Establishment (Factory, mine, wholesaler, etc.): Air Force Base Maintenance  
4b. Identify principal product or service: Maintain Kirtland AFB  
Cell No. 505-934-9667  
e-Mail michael.cuddihee.ctr@kirtland.af

5. Unit Involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.)  
Included: All full time and regular part time HVAC technicians and sheet metal workers working out of employers Kirtland Air Force Base location (b) (6), (b) (7)(C)  
Excluded: pipe fitters, All carpenters, plumbers, electricians, laborers, landscapers, clerical, operating engineers, diesel mechanics, janitors, guards, and supervisors, pipe fitters, as defined by the Act.  
6a. Number of Employees in Unit: Present 11  
Proposed (By UC/AC)  
6b. Is this petition supported by 30% or more of the employees in the unit? ☒ Yes ☐ No  
\*Not applicable in RM, UC, and AC

(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)

7a. ☒ Request for recognition as Bargaining Representative was made on (Date) 6/13/2012 and Employer declined recognition on or about (Date) no reply (If no reply received, so state).

7b. ☐ Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of Recognized or Certified Bargaining Agent (If none, so state.): Sheet Metal Workers Local Union 49  
Affiliation: Sheet Metal Workers International Association  
Address: 2300 Buena Vista SE #110  
Albuquerque, NM 87106  
Tel. No. 505-266-5878  
Cell No. 505-414-9207  
Date of Recognition or Certification 1/7/1953  
Fax No. 505-266-5879  
e-Mail mgomez@smwlu49.org

9. Expiration Date of Current Contract. If any (Month, Day, Year): 4/1/2013  
10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day and Year)

11a. Is there now a strike or picketing at the Employer's establishment(s) involved? Yes ☐ No ☒  
11b. If so, approximately how many employees are participating?

11c. The Employer has been picketed by or on behalf of (Insert Name) N/A, a labor organization, of (Insert Address) \_\_\_\_\_ Since (Month, Day, Year) \_\_\_\_\_

12. Organizations or individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state) NONE

Name	Address	Tel. No.	Fax No.
		Cell No.	e-Mail

13. Full name of party filing petition (If labor organization, give full name, including local name and number)

Sheet Metal Workers Local Union # 49

14a. Address (street and number, city, state, and ZIP code): 2300 Buena Vista Se #110-Albuquerque, NM 87106  
14b. Tel. No. EXT 505-266-5878  
14c. Fax No. 505-266-5879  
14e. e-Mail mgomez@smwlu49.org  
(b) (6), (b) (7)(C)

15. Full name of national or international labor organization of which Petitioner is an affiliate or constituent (to be filled in when petition is filed by a labor organization)

Sheet Metal Workers International Association

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name (Print): (b) (6), (b) (7)(C)  
Signature: (b) (6), (b) (7)(C)  
Title (if any): (b) (6), (b) (7)(C)  
Address (street and number, city, state, and ZIP code): 2300 Buena Vista SE #110  
Albuquerque, NM 87106  
Tel. No. 505-266-5878  
Cell No. (b) (6), (b) (7)(C)  
Fax No. 505-266-5879  
e-Mail mgomez@smwlu49.org

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

## PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

CHUGACH MANAGEMENT SERVICES

Employer

and

SHEET METAL WORKERS INTERNATIONAL  
ASSOCIATION, LOCAL 49

Petitioner

Case: 28-RC-083640

Date Filed: June 21, 2012

Date Issued: July 25, 2012

TYPE OF ELECTION  
(Check One)

- ☒ STIPULATION  
☐ CONSENT AGREEMENT  
☐ BOARD DIRECTED  
☐ RD DIRECTION  
INCUMBENT UNION (CODE)

(If applicable, check  
either or both.)

☐ 8(b)(7)

☐ Mail Ballot

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated above, were as follows:

1. Approximate number of eligible voters ..... 14  
2. Number of Void Ballots ..... 0  
3. Number of Votes cast for Sheet Metal Workers International Association, Local 49 ..... 8  
4. Number of Votes cast for ..... XXXXXXXX  
5. Number of Votes cast for ..... XXXXXXXX  
6. Number of Votes cast against participating labor organization(s) ..... 6  
7. Number of Votes counted (sum of 3, 4, 5 and 6) ..... 14  
8. Number of Challenged Ballots ..... 0  
9. Number of Valid Votes counted plus challenged ballots (sum of 7 and 8) ..... 14  
10. Challenges are (not) sufficient in number to affect the results of the election.  
11. A majority of the valid votes counted plus challenged ballots (item 9) has (not) been cast for Sheet Metal Workers International Association, Local 49

For the Regional Director, Region 28

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For CHUGACH MANAGEMENT SERVICES

Michael Alvarado

For SHEET METAL WORKERS INTERNATIONAL  
ASSOCIATION, LOCAL 49

Michael Gomez

**UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
REGION 28**

<b>CHUGACH MANAGEMENT SERVICES</b>  <b>Employer</b>  <b>and</b>  <b>SHEET METAL WORKERS INTERNATIONAL ASSOCIATION, LOCAL 49</b>  <b>Petitioner</b>	<b>Case 28-RC-083640</b>
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**TYPE OF ELECTION: STIPULATED**

**CERTIFICATION OF REPRESENTATIVE**

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board, it is certified that a majority of the valid ballots have been cast for **SHEET METAL WORKERS INTERNATIONAL ASSOCIATION, LOCAL 49**, and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit.

**Unit:** All full-time and regular part-time HVAC technicians, HVAC shop/pipe fitters, sheet metal workers, maintenance trade helper, and structural shop welder employed by the Employer at its Kirtland Air Force Base, Albuquerque, New Mexico facility; excluding all carpenters, plumbers, Plumbing Shop/pipe fitters, laborers, landscapers, clerical, operating engineers, diesel mechanics, janitors, guards and supervisors as defined by the Act.



Signed at Phoenix, Arizona, on  
the 9<sup>th</sup> day of August 2012

/s/ Cornele A. Overstreet

Cornele A. Overstreet  
Regional Director, Region 28  
National Labor Relations Board

A copy of the certification was served by mail to the following:

Chugach Management Services  
2050 Wyoming Blvd SE, Bldg 20686  
Kirtland Air Force Base, NM 87117

**(b) (6), (b) (7)(C)**

Chugach Alaska Corporation  
3800 Centerpoint Dr Ste 700  
Anchorage, AK 99503-5825

Sheet Metal Workers International  
Association, Local 49  
2300 Buena Vista Dr SE, Ste 110  
Albuquerque, NM 87106-4335